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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,) Case No.: 2:14-cr-00265-JCM-VCF
9 Plaintiff,)
10 vs.) **STIPULATION TO CONTINUE
SENTENCING**
11 RYAN PATRICK MOSKOWITZ,) (Second Request)
12 Defendant.)
13

14 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
15 United States Attorney, and Lisa C. Cartier Giroux, Assistant United States Attorney, counsel
16 for the United States of America, and Michael Pandullo, counsel for Ryan Moskowitz, that the
17 sentencing hearing currently scheduled for Tuesday, December 8, 2015 at the hour of 10:30
18 a.m., be vacated and be continued to a date and time convenient to the Court, but no sooner than
19 thirty (30) days from December 8, 2015.

20 The request for a continuance is based upon the following:

21 1. The additional time requested by this Stipulation to Continue Sentencing Hearing
22 is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the "court may, for
23 good cause, change any time limits prescribed in this rule."

24 2. The parties have been preparing for sentencing, and need additional time to

1 gather further information pertinent to sentencing factors under 18 U.S.C. Section 3553(a).

2 3. The defendant is incarcerated, and does not object to the continuance.

3 4. The parties agree to the continuance.

4 5. The parties request that Ryan Patrick Moskowitz's sentencing date be reset no
5 sooner than thirty (30) days from December 8, 2015.

6 6. The additional time requested by this Stipulation is made in good faith and not
7 for purposes of delay.

8 7. Additionally, denial of this request for continuance could result in a miscarriage
9 of justice.

10 8. This is the second requested continuance of the sentencing by the parties in this
11 case.

12 DATED this 1st day of December, 2015.

13
14 By: /s/ Lisa C. Cartier Giroux
LISA C. CARTIER GIROUX
Assistant United States Attorney

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16 By: /s/ Michael Pandullo
MICHAEL PANDULLO, ESQ.
Counsel for Ryan Patrick Moskowitz

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 vs.
7 RYAN PATRICK MOSKOWTIZ,
8 Defendant.

Case No.:2:14-cr-00265-JCM-VCF

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER
(Second Request)

9 FINDINGS OF FACTS

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds that:

12 1. The additional time requested by this Stipulation to Continue Sentencing Hearing
13 is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good
14 cause, change any time limits prescribed in this rule.”

15 2. The parties have been preparing for sentencing, and need additional time to gather
16 further information pertinent to sentencing factors under 18 U.S.C. Section 3553(a).

17 3. The defendant is incarcerated, and does not object to the continuance.

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20 sooner than thirty (30) days from December 8, 2015.

21 6. The additional time requested by this Stipulation is made in good faith and not for
22 purposes of delay.

23 7. Additionally, denial of this request for continuance could result in a miscarriage
24 of justice.

8. This is the second requested continuance of the sentencing by the parties in this case.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS FURTHER ORDERED that the Sentencing date in this matter scheduled for Tuesday, December 8, 2015, be vacated and continued to January 7, 2016, at 10:00 a.m.

DATED December 2, 2015.

Jew C. Mahan
UNITED STATES DISTRICT JUDGE